

85<sup>th</sup> Legislative Session – 2010

Committee: Senate State Affairs

Wednesday, February 10, 2010

P - Present  
E - Excused  
A - Absent

Roll Call

P Abdallah  
P Heidepriem  
P Hanson (Gary)  
P Knudson  
P Olson (Russell)  
P Rhoden  
P Turbak Berry  
P Gray, Vice-Chair  
P Dempster, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Thomas Dempster, Chair.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 3, 2010.

Moved by: Gray  
Second by: Hanson (Gary)  
Action: Prevailed by voice vote.

SB 76: revise the composition of the State Veterans' Commission.

Presented by: Senator Nancy Turbak Berry  
Proponents: Dennis Brenden, American Legion, Watertown, SD  
Gene Murphy, Disabled American Veterans  
Rick Barg, VFW, Sioux Falls (Handout: Doc 1)  
Ryan Green, SD Paralyzed Veterans of America, Sioux Falls  
Dennis Foell, Disabled American Veterans  
Opponents: Neil Fulton, Governor's Office  
Wade Hubbard, State Veterans Commission

MOTION: AMEND SB 76

76jc

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. That § 33-16-4 be amended to read as follows:

33-16-4. There is a Veterans' Commission, consisting of ~~six~~ seven members to be appointed by the Governor as follows:

- (1) Four members at large;
- (2) One member from a list of two persons nominated by the Department of South Dakota American Legion;
- (3) One member from a list of two persons nominated by the Veterans of Foreign Wars Department South Dakota; and
- (4) One member from a list of two persons nominated by the Disabled American Veterans Department of South Dakota.

Members of the commission shall be citizens of the United States and of South Dakota; and shall be veterans who have been discharged from the armed forces honorably or under honorable conditions. ~~Annual~~

Notwithstanding subdivisions (1) to (4), inclusive, any member of the commission on July 1, 2010, may complete the term to which the member was appointed. As a vacancy occurs, the Governor shall appoint members from subdivisions (2), (3), and (4) before appointing members at large. The appointments may include former or currently serving commission members. The appointments shall be made for terms of six years. In the event of death or a vacancy on the commission from any cause, a successor shall be appointed to fill out the unexpired term. The commission members shall annually choose a ~~chairman and vice-chairman~~ chair and vice chair from the commission membership."

Moved by: Knudson  
Second by: Abdallah  
Action: Prevailed by voice vote.

MOTION: DO PASS SB 76 AS AMENDED

Moved by: Abdallah  
Second by: Turbak Berry  
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Abdallah, Heidepriem, Hanson (Gary), Knudson, Olson (Russell), Rhoden, Turbak Berry, Gray, Dempster

SB 150: provide for an interim study of the potential creation of a Department of Veterans Affairs as a cabinet-level department.

Presented by: Senator Margaret Gillespie  
Proponents: Dennis Brenden, American Legion, Watertown, SD  
Gene Murphy, Disabled American Veterans  
Rick Barg, VFW, Sioux Falls  
Ryan Green, SD Paralyzed Veterans of America, Sioux Falls  
Dennis Foell, Disabled American Veterans  
Opponents: Wade Hubbard, State Veterans Commission

MOTION: DEFER SB 150 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Rhoden  
Second by: Gray  
Action: Prevailed by roll call vote. (6-3-0-0)

Voting Yes: Abdallah, Knudson, Olson (Russell), Rhoden, Gray, Dempster

Voting No: Heidepriem, Hanson (Gary), Turbak Berry

MOTION: CONFIRM REAPPOINTMENT OF KORY MENKEN OF UNION COUNTY, DAKOTA DUNES, SOUTH DAKOTA, TO THE SOUTH DAKOTA LOTTERY COMMISSION

Moved by: Gray  
Second by: Olson (Russell)  
Action: Prevailed by roll call vote. (8-0-1-0)

Voting Yes: Abdallah, Heidepriem, Hanson (Gary), Knudson, Olson (Russell), Rhoden, Gray, Dempster

Excused: Turbak Berry

SJR 3: Proposing and submitting to the electors at the next general election an amendment to Article VI of the Constitution of the State of South Dakota, relating to the right of individuals to vote by secret ballot.

Presented by: Senator Dave Knudson (Handout: Doc. 2)  
Proponents: Joel Dykstra, Save Our Secret Ballot of South Dakota  
David Owen, SD Chamber of Commerce & Industry  
Deb Mortenson, Associated General Contractors of SD, Incorporated.  
Opponents: Mark Anderson, SD State Federation of Labor AFL-CIO (Handout: Doc. 3)  
Paul Aylward, SD AFSCME 59 Dakotas Public Employees Union  
Joe Kraljic, Brotherhood of Maintenance of Way

MOTION: DO PASS SJR 3

Moved by: Knudson  
Second by: Rhoden  
Action: Prevailed by roll call vote. (6-3-0-0)

Voting Yes: Abdallah, Knudson, Olson (Russell), Rhoden, Gray, Dempster

Voting No: Heidepriem, Hanson (Gary), Turbak Berry

SB 170: provide for legislative redistricting by a bipartisan, nonlegislative commission.

Presented by: Senator Nancy Turbak Berry  
Proponents: Representative Bill Thompson  
Ann Thompson, League of Women Voters, Sioux Falls  
Joe Kraljic, Brotherhood of Maintenance of Way

MOTION: DO PASS SB 170

Moved by: Heidepriem  
Second by: Turbak Berry  
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER SB 170 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Knudson  
Second by: Rhoden  
Action: Prevailed by roll call vote. (6-3-0-0)

Voting Yes: Abdallah, Knudson, Olson (Russell), Rhoden, Gray, Dempster

Voting No: Heidepriem, Hanson (Gary), Turbak Berry

SB 142: prohibit certain business entities and affiliated persons from making political campaign contributions to state officeholders or candidates if the business entity does contractual business with certain state agencies.

Presented by: Senator Scott Heidepriem

Opponents: Chris Nelson, Secretary of State

MOTION: DO PASS SB 142

Moved by: Hanson (Gary)

Second by: Heidepriem

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER SB 142 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Rhoden

Second by: Olson (Russell)

Action: Prevailed by roll call vote. (6-2-1-0)

Voting Yes: Abdallah, Knudson, Olson (Russell), Rhoden, Gray, Dempster

Voting No: Heidepriem, Hanson (Gary)

Excused: Turbak Berry

SB 165: prohibit certain corporate contributions to political causes or candidates without shareholder approval.

Presented by: Senator Scott Heidepriem

Opponents: Chris Nelson, Secretary of State

MOTION: DO PASS SB 165

Moved by: Hanson (Gary)

Second by: Heidepriem

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER SB 165 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Gray

Second by: Olson (Russell)

Action: Prevailed by roll call vote. (5-3-1-0)

Voting Yes: Knudson, Olson (Russell), Rhoden, Gray, Dempster

Voting No: Abdallah, Heidepriem, Hanson (Gary)

Excused: Turbak Berry

MOTION: ADJOURN

Moved by: Gray

Second by: Knudson

Action: Prevailed by voice vote.

Cheri Hauschild  
Committee Secretary

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Thomas A. Dempster, Chair